

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

CIVIL REVISION APPLICATION No 2017 of 1995

For Approval and Signature:

Hon'ble MR.JUSTICE S.K.KESHOTE

- =====
1. Whether Reporters of Local Papers may be allowed : NO
to see the judgements?
 2. To be referred to the Reporter or not? : NO
 3. Whether Their Lordships wish to see the fair copy : NO
of the judgement?
 4. Whether this case involves a substantial question : NO
of law as to the interpretation of the Constitution
of India, 1950 of any Order made thereunder?
 5. Whether it is to be circulated to the Civil Judge? : NO

REVABEN DAUGHTER OF KARSHANBHAI DWARKADAS PATEL

Versus

KARSHANBHAI DWARKADAS PATEL

Appearance:

MR VC DESAI for Petitioner
None present for Respondents

CORAM : MR.JUSTICE S.K.KESHOTE

Date of decision: 04/02/2000

ORAL JUDGEMENT

1. Having heard the learned counsel for the petitioner and going through the judgment of the first appellate court, I am satisfied that both the courts below have not committed any material irregularity in exercise of their jurisdiction in passing of the impugned

orders.

2. Otherwise also, even if ultimately the father is disposing of the property in dispute whatever sale effected will be subject to the decision of the suit, i.e. lis pendens will apply. Moreover, the defendant No.2 is also party to the suit, who is stated to be the proposed purchaser of the property in dispute. In view of this fact, in case the orders of the courts below are allowed to stand, it will not occasion any failure of justice or will cause any irreparable injury to the petitioner. The matter is squarely covered by the two decisions of the Apex Court in the case of D.L.F. Housing vs. Sarup Singh reported in AIR 1971 SC 2324 and in the case of Hindustan Aeronautics vs. Ajit Prasad reported in AIR 1973 SC 76.

3. In the result, this revision application fails and the same is dismissed. Rule discharged. Interim relief, if any, granted by this court stands vacated. No order as to costs.

zgs/-